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**PLANNING & ZONING**

STEVEN JOSEPHSON, AICP

From: Steve Josephson, AICP, Planning and Zoning Director  
Subject: Staff Recommendation for Agenda Item #4, Amendments to the Stark County Zoning Code  
Date: July 30, 2020

**AGENDA ITEM #4-** Public Hearing-ZTA 01-20-Amendments to Article III: General Provisions, and Article V: Zoning District Regulations of the Stark County Zoning Ordinance as adopted on October 2, 2012 regarding residential accessory structures.

**3.8 Residential Development**

No lot in a residential zoning district shall contain more than one principal single-family dwelling ~~residential building~~, and no dwelling unit shall be built on a lot which does not abut a dedicated public right-of-way or private access easement. ~~Accessory buildings shall be smaller than the principal building and shall be limited to fifteen (15) feet in height and be located at least ten (10) feet from all lot lines.~~

Attached Accessory Structures-in residential zoning districts the square footage of an attached accessory structure shall not exceed 1.5 times the footprint of the attached dwelling unit. The height of an attached accessory structure shall not exceed the height of the attached dwelling unit. The outward appearance of the attached garage shall match the outward appearance of the attached dwelling unit. An accessory building physically attached to the principal building shall be considered part of the principal building and shall be subject to the development regulations of its zoning district.

Detached Accessory Structures-in residential zoning districts the maximum cumulative building area for all detached accessory structures shall be five (5) per cent of the total lot area. The maximum height for each detached accessory structure shall be 25 feet or the height of the principal residential structure, whichever is less.

## ZONING DISTRICT REGULATIONS

### 5.2 Agricultural Residential: Purpose

It is the purpose of this district to protect farmland and related farming activities while providing for the development of large lot residential housing.

#### Development Standards

- 1) Minimum lot size: 10 acres
- 2) Minimum lot width: 150 feet
- 3) Minimum front yard setbacks: 50 feet
- 4) Minimum side yard setbacks: 15 feet
- 5) Minimum rear yard setbacks: 50 feet
- 6) Maximum lot coverage: N/A
- 7) Maximum height: 35 feet for residential structures
- 8) Attached Accessory Structures: the square footage of an attached accessory structure shall not exceed 1.5 times the footprint of the attached dwelling unit. The height of an attached accessory structure shall not exceed the height of the attached dwelling unit. The outward appearance of the attached garage shall match the outward appearance of the attached dwelling unit. An accessory building physically attached to the principal building shall be considered part of the principal building and subject to the development regulations of its zoning district.
- 9) Residential Detached Accessory Structures  
Minimum front yard setback: 50 feet  
Minimum side yard setback: 10 feet  
Minimum rear yard setback: 10 feet  
Maximum height: 25 feet or the height of the principal residential structure, whichever is less.  
Maximum building area in a platted subdivision: five (5) per cent of the total lot area

In a platted subdivision the exterior of a detached accessory structure larger than 250 square feet shall generally match the exterior of the principal residential structure.

No detached accessory structure can be constructed on any residential lot without either an existing principal residential structure or a principal residential structure that is under construction

### **5.3 Rural Residential: Purpose**

The rural residential district is established to promote a suitable residential environment uninterrupted by conflicting uses and incompatible activities in unincorporated communities.

#### **Development Standards**

- 1) Minimum lot size: five (5) acres
- 2) Minimum lot width: one hundred fifty (150) feet
- 3) Minimum front yard setbacks: fifty (50) feet
- 4) Minimum side yard setbacks: fifteen (15) feet
- 5) Minimum rear yard setbacks: fifty (50) feet
- 6) Maximum lot coverage: N/A
- 7) Maximum height: thirty-five (35) feet for residential structures
- 8) Attached Accessory Structures: in a platted subdivision the square footage of an attached accessory structure shall not exceed 1.5 times the footprint of the attached dwelling unit. The height of an attached accessory structure shall not exceed the height of the attached dwelling unit. The outward appearance of the attached garage shall match the outward appearance of the attached dwelling unit. An accessory building physically attached to the principal building shall be considered part of the principal building and subject to the development regulations of its zoning district.
- 9) Residential Detached Accessory Structures  
Minimum front yard setback: 50 feet  
Minimum side yard setback: 10 feet  
Minimum rear yard setback: 10 feet

Maximum height: 25 feet or the height of the principal residential structure, whichever is less.

Maximum building area in a platted subdivision: five (5) per cent of the total lot area

In a platted subdivision the exterior of a detached accessory structure larger than 250 square feet shall generally match the exterior of the principal residential structure.

No detached accessory structure can be constructed on any residential lot without either an existing principal residential structure or a principal residential structure that is under construction

#### **5.4 Estate Residential District: Purpose**

The estate residential district is established to promote single-family residential development immediately adjacent to existing unincorporated residentially-zoned communities consisting of lots that are less than five (5) acres in area. Application of the estate residential district shall be limited to properties within one mile of the following highway corridor:

- **Highway 10 East from Lehigh Drive to 102<sup>st</sup> Avenue SW.**

The ability to rezone properties to the Estate Residential Zoning District shall be restricted to properties located on the map maintained by the Stark County Zoning Administrator.

#### **Development Standards**

- 1) Minimum lot size: 2 acres
- 2) Minimum lot width: 100 feet
- 3) Minimum front yard setbacks: 40 feet
- 4) Minimum side yard setbacks: 15 feet
- 5) Minimum rear yard setbacks: 25 feet
- 6) Maximum lot coverage: 30 percent
- 7) Maximum height: 35 feet for residential structures
- 8) Attached Accessory Structures: in a platted subdivision the square footage of an attached accessory structure shall not exceed 1.5 times the footprint of the attached dwelling unit. The height of an

attached accessory structure shall not exceed the height of the attached dwelling unit. The outward appearance of the attached garage shall match the outward appearance of the attached dwelling unit. An accessory building physically attached to the principal building shall be considered part of the principal building and subject to the development regulations of its zoning district.

9) Residential Detached Accessory Structures

Detached accessory structures shall not be constructed in the front yard.

Minimum side yard setback: 10 feet

Minimum rear yard setback: 10 feet

Maximum height: 25 feet or the height of the principal residential structure, whichever is less.

Maximum building area in a platted subdivision: five (5) per cent of the total lot area

In a platted subdivision the exterior of a detached accessory structure larger than 250 square feet shall generally match the exterior of the principal residential structure.

No detached accessory structure can be constructed on any residential lot without either an existing principal residential structure or a principal residential structure that is under construction

**STAFF RECOMMENDATION: Approval of the proposed amendment based upon the following findings.**

The proposed amendment is consistent with the following objectives of the Stark County Comprehensive Plan:

- LAND USE- Provide for proper growth management practices; and
- LAND USE-Avoid conflicts between land uses.

The proposed amendment is consistent with the following implementation strategy of the Stark County Comprehensive Plan:

- GOVERNMENTAL- Stark County supports the periodic review of county codes and ordinances to ensure their current relevancy.